

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

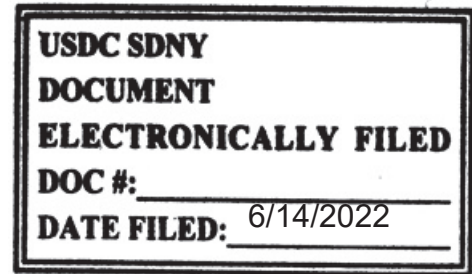
FAIR HOUSING JUSTICE CENTER, INC.,
JANE DOE and JOHN DOE,

Plaintiffs,

v.

MARY T. BASSETT, in her official capacity as
Commissioner of the New York State Department
of Health, THE NEW YORK STATE
DEPARTMENT OF HEALTH, ELM YORK
LLC, MADISON YORK ASSISTED LIVING
COMMUNITY, LLC, MADISON YORK REGO
PARK LLC, and VILLAGE HOUSING
DEVELOPMENT FUND CORPORATION,

Defendants.



18 Civ. 3196 (VSB) (RWL)

Revised Case Management Plan and
Scheduling Order

ROBERT W. LEHRBURGER, United States District Judge:

Pursuant to Rules 16-26(f) of the Federal Rules of Civil Procedure, the Court hereby adopts the following Case Management Plan and Scheduling Order:

1. All parties do not consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.
2. The parties have engaged in settlement discussions.
3. Plaintiffs request that this case be tried to a jury.
4. Except as provided by Rule 15 of the Federal Rules of Civil Procedure, no additional parties may be joined without leave of the Court.
5. Except as provided by Rule 15 of the Federal Rules of Civil Procedure, no additional causes of action or defenses may be asserted after without leave of the Court.
6. Initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure shall be completed no later than December 20, 2019.

7. All fact discovery was completed.
8. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided that the parties meet the deadline for completing fact discovery set forth in ¶ 7 above.
 - a. Initial requests for production of documents have been served.
 - b. Interrogatories have been served.
 - c. Fact depositions were completed.
 - i. Absent an agreement between the parties or an order from the Court, depositions are not to be held until all parties have responded to initial requests for document production.
 - ii. There is no priority for depositions by reason of a party's status as a plaintiff or a defendant.
 - iii. Absent an agreement between the parties or an order from the Court, non-party depositions shall follow initial party depositions.
 - d. Requests for admissions were served.
9. All expert discovery, including disclosures, reports, production of underlying documents, and depositions shall be completed by August 30, 2022.
 - a. Plaintiffs have disclosed the names and subject matter of their experts.
 - b. Initial expert reports shall be served by June 22, 2022.
 - c. Rebuttal expert reports shall be served by August 9, 2022.
11. The Court will conduct a post-discovery conference on _____ at _____. [***To be completed by the Court.***] No later than two weeks in advance of the conference, the parties are to submit a joint letter updating the Court on the status of the case, including but not limited to whether either party intends to file a dispositive motion and what efforts the parties have made to settle the action. If either party contemplates filing a dispositive motion, the parties should be prepared to discuss a briefing schedule at the post-discovery conference.
12. Unless otherwise ordered by the Court, the joint pretrial order and additional submissions required by Rule 6 of the Court's Individual Rules and Practices shall be due 30 days from the close of discovery, or if any dispositive motion is filed, 30 days from the Court's

